

April 18, 2006

April Eighteenth

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The second regular April Meeting of Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, P. A. "Pete" Castiglione, Jr., E. Stokes Daniels, Jr., Mayor John C. Hamlin, T. David Luther, T. Wayne Oakes, Sherman M. Saunders, H. Phillip Smith, and Vice-Mayor R. Wayne Williams, Jr. (9).

Staff Members present were: City Manager Jerry L. Gwaltney, Deputy City Manager M. Lyle Lacy, III, Assistant City Manager for Utilities Joseph C. King, City Attorney W. Clarke Whitfield, Jr., and City Clerk/Clerk of the Council Annette Y. Crane, CMC.

Other Staff members present were Transportation Services Director Marc Adelman, Economic Development Director Ron Bunch, Finance Director Barbara Dameron, Human Services Director Gwendolyn Edwards, Community Development Director Jerry Fischer, Planning Director Kenny Gillie, Housing and Development Director Dianne Morris, Management Analyst David Parrish, Parks, Recreation & Tourism Director Bill Sgrinia, Budget Director Cynthia Thomasson,

Mayor Hamlin presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Wayne Oakes offered the Invocation. The Pledge of Allegiance to the Flag followed.

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Mayor Hamlin recognized City Manager Gwaltney. Mr. Gwaltney advised a very important announcement was pending, but Council needed to add an item to the agenda and take action before the announcement was made.

Mr. Gwaltney introduced North American Properties Representatives Tonya Creekmore and Ralph Conte, who were present for the announcement.

By unanimous voice vote, a Resolution approving and authorizing the execution of an agreement for the development of a multi-anchor retail power center was placed on the Agenda under Announcements and Special Recognition for immediate action.

Council Member Archie moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-04.02

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A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE DEVELOPMENT OF A MULTI-ANCHOR RETAIL POWER CENTER.

The Council as a Whole seconded the Motion.

The Resolution was adopted by the following vote:

VOTE: 9-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,
Saunders, Smith, and Williams (9)
NAY: None (0).

Mr. Gwaltney stated it was with a great deal of pleasure that he announced the arrival of one of the largest retail commercial projects to the City of Danville since the opening of Piedmont Mall. He advised the \$60,000,000 power center project would provide between 1,300 and 1,600 jobs and be made up of big box-type stores in approximately 525,000 square feet of space.

Mr. Gwaltney reported that on May 22, 2004, Economic Development Director Ron Bunch, The Daniel Group representatives Howard Burnette, Ed Coleman, Winn Bishop and he met with Mark Toro of North American Properties to get the ball rolling on a project that would be a boon to the City of Danville. He advised that while there, the group from Danville met with officials of the Buffalo Wild Wings restaurant. As a result of that visit, Buffalo Wild Wings is now located in Danville off Riverside Drive and is very successful. Mr. Gwaltney reported the administration had worked diligently to solidify Danville as a regional hub and expressed thanks to Ron Bunch and the Economic Development staff that moved the project forward on a day-to-day basis. He said work on the project had included staff members of the City's Utility Department, Finance, Engineering, Planning, and the City Attorney to bring the project to this point.

Mr. Gwaltney recognized and acknowledged the presence of his wife, Gayle, and Ron Bunch's wife, Hilary. He thanked them both for their support and encouragement throughout the negotiating process with North American.

Mr. Gwaltney asked Industrial Development Authority Chairman Richard Turner, North American Properties Representatives Ralph Conte and Tonya Creekmore, Mayor Hamlin, Vice-Mayor Williams, Council Members, Deputy City Manager Lacy, Economic Development Director Ron Bunch, City Attorney Whitfield, and City Clerk Crane to come forward for the formal agreement signing ceremony.

Mr. Gwaltney thanked North American Properties for placing its confidence in the City of Danville. Mr. Conte stated that he and Ms. Creekmore were extremely delighted to be in Danville for this milestone event. He said it had been a pleasure and an honor to work with city officials. He said cooperation among all involved had been truly remarkable and extraordinary. Mr. Conte stated the company looked forward to groundbreaking and putting together a

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first-class project for the citizens of Danville and surrounding area.

Mr. Gwaltney specifically thanked once again the Economic Development staff that includes Ron Bunch, Jeff Reed, Denise Dahl and Jan Brink for an outstanding job. He thanked Assistant City Manager for Utilities Joe King, who played a major role in the process, Public Works Department staff members and Deputy City Manager Lyle Lacy, who were working diligently in the background.

Mr. Gwaltney gave a special thanks to City Council, who were very supportive as the project proceeded.

Mayor Hamlin and Vice-Mayor Williams presented gift baskets as a thank-you to Mr. Conte and Ms. Creekmore.

Following completion of the transaction, Council Members returned to their seats and were given the opportunity to comment on the project.

Council Member Daniels said it had been easy to support good things because the public was behind it. He thanked City Manager Gwaltney and Economic Development Director Ron Bunch because they never seemed to give up. Mr. Daniels continued that it was encouraging to him to see the city staff working so hard and most of all, all that hard work has paid off. He thanked North American properties officials for the decision to come to the City of Danville.

Council Member Luther congratulated City Manager Gwaltney. He said the project would realize one of Council's goals in making Danville a regional hub and would keep shoppers in Danville. He said it had been proposed the shopping center would bring in \$140,000,000 in sales each year and that would be a great boost in sales tax revenues.

Council Member Archie stated she was ecstatic. She said for years she had looked forward to Danville being a regional hub and the shopping center would bring Danville what it had been seeking for a long time. She stated she felt joyous that the citizens of Danville could depend on City Manager Gwaltney and the City Council to do good things for the City.

Council Member Smith welcomed North American Properties to Danville. He said this was the kind of investment the Council had been seeking since he became a Council Member in 1998. Mr. Smith it was important to the City's financial stability to have this type of project in Danville and was important to the citizens of Danville to have this type of shopping opportunity.

Council Member Saunders said good things were happening in the City as a direct result of city employees, community, area residents and people coming together to make the city great. He stated it was wonderful Danville was moving forward with 1,300 to

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1,600 new jobs on top of new jobs that have already been established.

Mr. Saunders said he had read that many of Danville's citizens are returning to school to get their GEDs. He offered congratulations to these individuals and encouraged them to continue. Mr. Saunders encouraged Council and city administration members to make sure that city employees were properly compensated in order to retain current employees. He stated he looked forward to future announcements and thanked North American for choosing to locate in Danville.

Council Member Castiglione advised he had seen a sign recently that read, "vision without action is dreaming, but vision with action fulfills dreams." He stated Council, the administration and members of the private section had faith in this community, had a dream and took action. Mr. Castiglione said that companies like North American Properties would not have located in Danville if they had not recognized that the city was on the cutting edge and ready to grow and expand.

Council Member Oakes commented that today was a great day for the City of Danville and the surrounding area.

Vice-Mayor Williams stated this was an exciting day in the City of Danville. With the signing of the documents, Danville would have retail big boxes and retailers locating here. Dr. Williams continued that Council wanted to make Danville a retail hub and thanked everyone for their cooperation and support.

Mayor Hamlin thanked North American Properties and stated that Danville was a grateful community today.

Mayor Hamlin called for a brief recess at 7:30 P.M.

Dr. Williams left the meeting at this point.

The Meeting reconvened at 7:45 P.M.

MINUTES

Upon Motion by Council Member Daniels and second by Council Member Castiglione, Minutes of the April 4, 2006 Regular Meeting of Danville City Council were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting. The Minutes were approved by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8)
NAY: None (0)
ABSENT: Williams (1).

HEARING - REZONE APPROXIMATELY 0.6 ACRE ON PIEDMONT DRIVE

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Mayor Hamlin opened the floor for a Public Hearing to consider a request to rezone approximately 0.6 acre located on Piedmont Drive. Notice of the Public Hearing had been duly published in the Danville Register and Bee on April 4 and 11, 2006. No one present desired to be heard and the Public Hearing was closed.

Council Member Daniels moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-04.12

AN ORDINANCE REZONING FROM PS-C PLANNED SHOPPING CENTER COMMERCIAL TO HR-C HIGHWAY RETAIL COMMERCIAL, APPROXIMATELY 0.6 ACRE ON PIEDMONT DRIVE.

The Motion was seconded by Council Member Oakes and carried by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8)
NAY: None (0)
ABSENT: Williams (1).

HEARING - REZONE APPROXIMATELY 0.7 ACRE ON PIEDMONT DRIVE

Mayor Hamlin opened the floor for a Public Hearing to consider a request to rezone approximately 0.7 acre located on Piedmont Drive. Notice of the Public Hearing had been duly published in the Danville Register and Bee on April 4 and 11, 2006. No one present desired to be heard and the Public Hearing was closed.

Council Member Luther moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-04.13

AN ORDINANCE REZONING FROM PS-C PLANNED SHOPPING CENTER COMMERCIAL TO HR-C HIGHWAY RETAIL COMMERCIAL, APPROXIMATELY 0.7 ACRE ON PIEDMONT DRIVE.

The Motion was seconded by Council Member Castiglione and carried by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8)
NAY: None (0)
ABSENT: Williams (1).

ACCEPT AGREEMENT FROM VIRGINIA DEPARTMENT OF AVIATION-AIRPORT

Council Member Castiglione moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-04.03

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A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT AGREEMENT FROM THE VIRGINIA DEPARTMENT OF AVIATION TO PROMOTE GENERAL AVIATION ACTIVITIES AND THE DANVILLE REGIONAL AIRPORT.

The Motion was seconded by Council Member Daniels and carried by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8)
NAY: None (0)
ABSENT: Williams (1).

BUDGET AMENDMENT-FY 2005-2006-VIRGINIA AVIATION GRANT-AIRPORT

Upon Motion by Council Member Castiglione and second by Council Member Archie, an Ordinance entitled:

ORDINANCE NO. 2006-04.14

AN ORDINANCE AMENDING THE FISCAL YEAR 2005-2006 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A STATE DEPARTMENT OF AVIATION GRANT FOR THE PURPOSE OF PROVIDING FUNDING TO PROMOTE GENERAL AVIATION ACTIVITIES AND THE DANVILLE REGIONAL AIRPORT IN THE AMOUNT OF \$7,500 AND FOR THE LOCAL SHARE IN THE AMOUNT OF \$7,500 TO BE PROVIDED BY A TRANSFER FROM THE GENERAL FUND AND THE DANVILLE AIR SHOW, INC. FOR A TOTAL APPROPRIATION OF \$15,000 AND APPROPRIATING SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

In response to Council Member Daniels, Airport Director Marc Adelman responded the \$15,000 would be used for advertising the Danville Air Show.

DONATE PROPERTY TO VDOT-REPLACE BRIDGE ON ROUTE 734-CANE CREEK

Council Member Daniels moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-04.04

A RESOLUTION AUTHORIZING AND APPROVING THE DONATION OF REAL PROPERTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO REPLACE THE BRIDGE ON ROUTE 734 OVER CANE CREEK.

The Motion was seconded by Council Member Archie and carried by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8)
NAY: None (0)
ABSENT: Williams (1).

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PERSONAL PROPERTY TAX RELIEF AT 63% FOR QUALIFYING VEHICLES

Council Member Oakes moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-04.15

AN ORDINANCE AUTHORIZING 63% AS THE RATE OF PERSONAL PROPERTY RELIEF ON QUALIFYING VEHICLES FOR THE JANUARY 1, 2006 ASSESSMENT.

The Motion was seconded by Council Member Smith and carried by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8)
NAY: None (0)
ABSENT: Williams (1).

In response to Council Member Saunders, Deputy City Manager Lacy explained that in conjunction with the Personal Property Tax Relief Act of 1998, the City's allocation of funds for State Personal Property Tax Relief was \$3,593,744.09. He stated this should allow for 100% relief on qualifying vehicles valued at \$1,000 or less and a 63% relief rate on vehicles valued over \$1,000, but less than \$20,000. In estimating the percentage of relief for each qualified vehicle, it was necessary to allow for proration of vehicles after the first half due date of June 5. Mr. Lacy continued that any amount of tax relief not used for this year's assessment would carry forward to increase available funds for next year's assessment.

VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT PROGRAM-YOUTH

Council Member Castiglione moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-04.05

A RESOLUTION OF INTENT THAT THE CITY OF DANVILLE WILL ACCEPT FUNDING AND SERVE HIGH RISK LOCAL YOUTH INVOLVED WITH THE COURT SERVICES UNIT THROUGH THE VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT PROGRAM.

The Motion was seconded by Council Member Archie and carried by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8)
NAY: None (0)
ABSENT: Williams (1).

VDOT - INDUSTRIAL ACCESS PROJECT - SLAYTON DRIVE

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Council Member Castiglione moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-04.06

A RESOLUTION APPROVING A REQUEST TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO REVISE INDUSTRIAL ACCESS PROJECT 9999-108-105, M501 TO ALLOW CONSIDERATION OF INVESTMENT ESTABLISHED BY QUALIFIED INDUSTRY ON ALL PROPERTY SERVED EXCLUSIVELY BY THE INDUSTRIAL ACCESS PROJECT ON SLAYTON DRIVE.

The Motion was seconded by Council Member Archie and carried by the following vote:

VOTE: 8-0
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes, Saunders, and Smith (8)
NAY: None (0)
ABSENT: Williams (1).

COMMUNICATIONS

There were no communications from the City Manager, Deputy City Manager, and City Clerk.

City Attorney Whitfield advised the next regular Council Meeting would be held on Thursday, May 4, at 7:00 P.M., since Councilmanic and School Board elections are set for Tuesday, May 2.

ROLL CALL

Council Member Archie reported on April 5 she attended the Ribbon-cutting at Yorktowne Cabinetry. On April 6, the Regional Alliance for Substance Abuse Prevention presented a program on "Underage Drinking". Mrs. Archie commended the panel for their excellence and stated she wished there had been more individuals in attendance. On April 8, Mrs. Archie reported there had been an event held honoring Mayor Hamlin.

Council Member Castiglione advised the event honoring and roasting Mayor Hamlin was part of a Downtown Danville fundraiser. He reported over \$5,000 was raised.

Mr. Castiglione reported that Council Member Archie had been elected as Regional Director for the AKA Sorority. He congratulated Mrs. Archie for the honor and said Council was very proud of her.

Council Member Daniels asked about the City's involvement with Rugby. City Manager Gwaltney replied the City furnishes the facility for those who come in from around the region for the game. Mr. Gwaltney stated the City benefits since those who come into town for those events would bring in revenues to the City.

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Mayor Hamlin encouraged all registered voters to take part in the May 2 elections.

Council Member Luther advised that he, along with several Council Members, attended a 2-hour meeting at an American Legion Post 29 recently. He said there were a group of citizens in attendance who expressed concern about their electric rates and reports of meters not being read.

Mr. Luther advised a suggestion was made that a check-off block be placed on utility bills so customers could make a donation to "Neighbors Helping Neighbors." Mr. Luther said this would be similar to the check-off block on federal income tax forms for contributions to presidential elections, but unlike the contributions on the income tax form, the donation to "Neighbors Helping Neighbors" would be in addition to the amount of the utility bill. Mr. Luther felt this was a good way to assist utility customers who have difficulty paying their utility bills.

Council Member Oakes reported he had received a letter from the Schoolfield Preservation Committee expressing concerns the historic Dan River Mills buildings would be torn down. Mr. Oakes said the group requested Council action in any way possible to help preserve the area.

Council Member Saunders stated he was very pleased to hear of the number of adults who were seeking their GED. Mr. Saunders encouraged those who were seeking jobs to come by the Workforce Investment Act office at 707 Piney Forest Shopping Center for assistance. Mr. Saunders also offered the space for GED classes if needed.

Mr. Saunders said he understood much more money was needed to help individuals with their utility bills. He said anything the City could do to help citizens pay their bills would be greatly appreciated.

Council Member Smith stated Yorktowne Cabinetry was a great addition to the area.

Mr. Smith stated some Danville citizens really need assistance with paying their utility bills. He said Council and the administration needed to search for ways to assist these citizens.

The Meeting adjourned at 8:20 P.M.

MAYOR

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CLERK